

2009 DRAFTING REQUEST

Bill

Received: **01/12/2009**

Received By: **rchampag**

Wanted: **Soon**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Dombrowski**

This file may be shown to any legislator: **NO**

Drafter: **rchampag**

May Contact:

Addl. Drafters:

Subject: **Employ Pub - miscellaneous**

Extra Copies:

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to:

Pre Topic:

DOA:.....Dombrowski, BB0373 -

Topic:

Maintenance Staff Consolidation

Instructions:

See attached.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							State
/1	rchampag 01/12/2009	kfollett 01/13/2009	phenry 01/13/2009		lparisi 01/13/2009		State
/2	rchampag 01/21/2009	kfollett 01/21/2009	mduchek 01/21/2009		lparisi 01/21/2009		State
/3	rchampag 01/25/2009	kfollett 01/25/2009	mduchek 01/25/2009		chanaman 01/25/2009		

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

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<END>

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1316 F
1125
NO
1125

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/?	rchampag	1/15 f 1/13	4 13 ph	1/13 ph	1/13		
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FE Sent For:

<END>

2009-11 Budget Bill Statutory Language Drafting Request

- Topic: Maintenance Consolidation
- Tracking Code: 880373
- SBO team: GGED
- SBO analyst: Cindy Dombrowski *CS*
 - Phone: 266-5878
 - Email: cynthia.dombrowski@wisconsin.gov
- Agency acronym: DOA
- Agency number: 505
- Priority (Low, Medium, High): Medium

Intent:

Please draft non-stat language that allows DOA to transfer, via MOU and/or Interagency agreements, maintenance staff from state agencies to DOA during the 09-11 biennium.

Per Cindy, change this to permit DOA simply to transfer to DOA from executive branch agencies any maintenance staff. No need for MOUs or other agreements. Transfer is permanent!



DOA:.....Dombrowski, BB0373 - Maintenance Staff Consolidation
FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

- do not gen

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT

STATE EMPLOYMENT

This bill authorizes the secretary of administration to abolish any building maintenance position in any executive branch state agency, other than DOA, and to transfer state employees who perform building maintenance functions from these agencies to DOA.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2 **SECTION 9101. Nonstatutory provisions; Administration.**

3 (1) TRANSFER OF MAINTENANCE STAFF TO THE DEPARTMENT OF ADMINISTRATION.

4 (a) In this subsection, "executive branch state agency" means any office,
5 department, or independent agency in the executive branch of state government,
6 other than the department of administration.

SECTION 9101

1 (b) The secretary of administration may abolish any authorized FTE position
2 to ^{any} executive branch state ^{agency} agencies that ^{are} ~~are~~ ^{is} responsible for the performance of
3 building maintenance functions for those agencies. ^{the agency}

4 (c) The secretary of administration, with the assistance of the chief
5 administrative officer of each executive branch state agency, shall identify
6 employees of executive branch state agencies whose positions are abolished under
7 paragraph (b). ^{a.r. (a)} The secretary of administration may transfer any employee so
8 identified to the department of administration.

9 (d) Employees transferred to the department of administration under
10 paragraph (c) have all the rights and the same status under subchapter V of chapter
11 111 and chapter 230 of the statutes in the department of administration that they
12 enjoyed in the executive branch state agencies from which they were transferred
13 immediately before the transfer. Notwithstanding section 230.28 ⁽⁴⁾ of the statutes,
14 no employee so transferred who has attained permanent status in class is required
15 to serve a probationary period.

16 (e) The authorized FTE positions for the department of administration, funded
17 from the appropriation under section 20.505 (1) (a) of the statutes, as affected by this
18 act, are increased by the number of individuals transferred to the department of
19 administration under paragraph (c), ^{a.r. (b)} for the purpose of providing payroll services to
20 state agencies. Such positions shall be GPR positions.

21 (END)

D-Note

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1442/1dn

RAC: *kgf*

Date

Cindy Dombrowski:

Please review ^(CS) Section 9101 (1) (e) of the draft to make sure I have identified the correct appropriation that is used to fund the maintenance positions transferred to DOA.

Rick A. Champagne
Senior Legislative Attorney
Phone: (608) 266-9930
E-mail: rick.champagne@legis.wisconsin.gov

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1442/1dn
RAC:kjf:ph

January 13, 2009

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Rick A. Champagne
Senior Legislative Attorney
Phone: (608) 266-9930
E-mail: rick.champagne@legis.wisconsin.gov

Champagne, Rick

From: Dombrowski, Cynthia A - DOA [cynthia.dombrowski@wisconsin.gov]
Sent: Wednesday, January 21, 2009 11:08 AM
To: Champagne, Rick
Subject: RE:

Hi Rick -

A couple of quick changes. We want to amend the appropriation under 505 (5)(ka) to be a continuing appropriation. Similar to the payroll consolidation draft, we want the language for this to read that DOA may consolidate and the number of positions in DOA could increase (and the number in the agencies decrease) based on this consolidation.

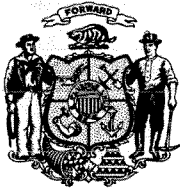
Thanks,
Cindy

From: Champagne, Rick [mailto:Rick.Champagne@legis.wisconsin.gov]
Sent: Monday, January 12, 2009 8:37 AM
To: Dombrowski, Cynthia A - DOA
Subject:

Hi Cindy:

Just checking in on the budget drafting request to consolidate maintenance staff at DOA during the 2009-11 biennium. The tracking code is BB0373. As I mentioned in my phone message to you, DOA can already do this under current law under s. 230.047. Should I cancel this request? Thanks.

Rick



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-1442/12

RAC:kjf:ph

RMR

DOA:.....Dombrowski, BB0373 - Maintenance Staff Consolidation
FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

do not go

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau
STATE GOVERNMENT
STATE EMPLOYMENT

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4 (a) In this subsection, "executive branch state agency" means any office,
5 department, or independent agency in the executive branch of state government,
6 other than the department of administration.

Insert 1-2

1 (b) The secretary of administration may abolish any authorized FTE position
2 to any executive branch state agency that is responsible for the performance of
3 building maintenance functions for the agency.

4 (c) The secretary of administration, with the assistance of the chief
5 administrative officer of each executive branch state agency, shall identify
6 employees of executive branch state agencies whose positions are abolished under
7 paragraph (b). The secretary of administration may transfer any employee so
8 identified to the department of administration.

9 (d) Employees transferred to the department of administration under
10 paragraph (c) have all the rights and the same status under subchapter V of chapter
11 111 and chapter 230 of the statutes in the department of administration that they
12 enjoyed in the executive branch state agencies from which they were transferred
13 immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes,
14 no employee so transferred who has attained permanent status in class is required
15 to serve a probationary period.

16 (e) The authorized FTE positions for the department of administration, funded
17 from the appropriation under section 20.505 (1) (a) of the statutes, as affected by this
18 act, are increased by the number of individuals transferred to the department of
19 administration under paragraph (c), for the purpose of providing payroll services to
20 state agencies. Such positions shall be GPR positions.

21 (END)

**2009-2010 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1442/2ins
RAC:kjf:ph

1-2

SECTION 1. 20.505 (5) (ka) of the statutes is amended to read:

20.505 (5) (ka) *Facility operations and maintenance; police and protection functions.* The amounts in the schedule for All moneys credited to this appropriation account ^{plain} ~~for~~ the purpose of financing the costs of operation of state-owned or operated facilities that are not funded from other appropriations, including custodial and maintenance services; minor projects; utilities, fuel, heat and air conditioning; assessments levied by the department under s. 16.847 (3) for debt service costs and energy cost savings generated at departmental facilities; costs incurred under ss. 16.858 and 16.895 by or on behalf of the department; and supplementing the costs of operation of child care facilities for children of state employees under s. 16.841; and for police and protection functions under s. 16.84 (2) and (3). All moneys received from state agencies for the operation of such facilities, parking rental fees established under s. 16.843 (2) (bm) and miscellaneous other sources, all moneys received from assessments under s. 16.895, all moneys received for the performance of gaming protection functions under s. 16.84 (3), and all moneys transferred from the appropriation account under s. 20.865 (2) (e) for this purpose shall be credited to this appropriation account.

note: bud

History: 1971 c. 108, 125, 215; 1971 c. 270 s. 104; 1973 c. 90 and supp., 157, 305; 1975 c. 39 ss. 179 to 184f, 735 (5); 1975 Ex. Order No. 24; 1975 c. 224, 397; 1977 c. 29; 1977 c. 196 ss. 70, 131; 1977 c. 377 s. 30; 1977 c. 418 s. 929 (1), (55); 1979 c. 32 s. 92 (5); 1979 c. 34, 175, 221; 1979 c. 355 s. 241; 1979 c. 361; 1981 c. 20 ss. 400b to 421, 2202 (57) (b); 1981 c. 44 s. 3; 1981 c. 62, 121; 1981 c. 202 s. 23; 1981 c. 314, 374, 391; 1983 a. 27 ss. 439 to 456, 2202 (1); 1983 a. 36, 187, 282, 371, 393; 1985 a. 29, 31, 57, 120, 296, 297, 332; 1987 a. 27 ss. 296n, 296q, 297b, 297d, 299a to 299r, 300a, 301a, 418 to 432; 1987 a. 142, 147, 342, 399; 1989 a. 31, 56, 107, 122, 336, 339, 345, 366; 1991 a. 39 s. 469, 593q to 614; 1991 a. 105, 269, 315; 1993 a. 16 ss. 470g, 470m, 470r, 488 to 506m; 1993 a. 33, 75, 193, 349, 358, 374, 414, 437, 477, 491; 1995 a. 27, 56, 201, 216, 225, 227, 370, 403; 1997 a. 3; 1997 a. 27 ss. 199, 227 to 229m, 233, 666g to 692, 9456 (3m); 1997 a. 237, 283; 1999 a. 5; 1999 a. 9 ss. 508 to 587d, 9401 (2zt), (2zu); 1999 a. 24, 52, 105, 113, 148, 185; 2001 a. 16 ss. 684d, 685d, 800 to 905; 2001 a. 104 ss. 21, 141; 2001 a. 109; 2003 a. 33 ss. 364d, 365d, 369d, 370d, 374d, 376d, 378d, 380d to 384d, 567 to 615f, 639, 640, 642d to 644, 2811 to 2813; 2003 a. 48 ss. 10, 11; 2003 a. 84; 2003 a. 139 ss. 9 to 12; 2003 a. 206 s. 23; 2003 a. 326; 2005 a. 25 ss. 389 to 429m, 2493, 2494, 2495, 9401, 9409; 2005 a. 60, 124, 141, 142, 253, 344, 414, 433; 2007 a. 20 ss. 323, 326, 516e to 542g, 9121 (6) (a); 2007 a. 226.

Champagne, Rick

From: Dombrowski, Cynthia A - DOA [cynthia.dombrowski@wisconsin.gov]
Sent: Saturday, January 24, 2009 1:02 PM
To: Champagne, Rick
Subject: FW: LRB Draft: 09-1442/2 Maintenance Staff Consolidation
Attachments: 09-1442/2.pdf

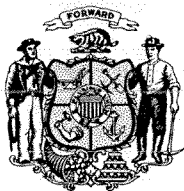
Hi Rick -

I was looking at this draft and have some questions on the last paragraph. The positions will not be performing payroll functions but maintenance functions and the positions should be PR, not GPR.

Thanks,
Cindy

From: Duchek, Michael [mailto:Michael.Duchek@legis.wisconsin.gov]
Sent: Wednesday, January 21, 2009 4:33 PM
To: Dombrowski, Cynthia A - DOA
Cc: Pawasarat, Jane - DOA; Hanaman, Cathlene - LEGIS; Beadles, Kathleen - DOA
Subject: LRB Draft: 09-1442/2 Maintenance Staff Consolidation

Following is the PDF version of draft 09-1442/2.



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-1442/2 3

RAC:kjf:md

RMR

DOA:.....Dombrowski, BB0373 - Maintenance Staff Consolidation

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

- do not gen

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT

STATE EMPLOYMENT

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4 *functions. The amounts in the schedule All moneys credited to this appropriation*
5 *account for the purpose of financing the costs of operation of state-owned or operated*

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2 maintenance services; minor projects; utilities, fuel, heat and air conditioning;
3 assessments levied by the department under s. 16.847 (3) for debt service costs and
4 energy cost savings generated at departmental facilities; costs incurred under ss.
5 16.858 and 16.895 by or on behalf of the department; and supplementing the costs
6 of operation of child care facilities for children of state employees under s. 16.841; and
7 for police and protection functions under s. 16.84 (2) and (3). All moneys received
8 from state agencies for the operation of such facilities, parking rental fees
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10 received from assessments under s. 16.895, all moneys received for the performance
11 of gaming protection functions under s. 16.84 (3), and all moneys transferred from
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13 to this appropriation account.

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13 act, are increased by the number of individuals transferred to the department of
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16 (END)

PR

MAINTENANCE



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-1442/3

RAC:kjf:md

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13 this act, are increased by the number of individuals transferred to the department
14 of administration under paragraph (c), for the purpose of providing maintenance
15 services to state agencies. Such positions shall be PR positions.

16 (END)